

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
OCTOBER 26, 2017
7:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on October 26, 2017 was called to order at 7:00 p.m. by Supervisor John Hickman, Jr. with the Pledge of Allegiance to the Flag.

Supervisor's Announcements

Supervisor Hickman stated last week National Resources announced that they purchased 312 acres of the former IBM East Complex. The Town has been working with them to enable this to happen. They plan to re-develop this whole property. They have a concept plan to diversify the site. He thanked this Board and the prior Board for all the work that has gone into this.

There is a sewer contract in place with GlobalFoundries to allow redevelopment of the West Complex also.

Roll Call: Supervisor Hickman asked Town Clerk Hurray to call the rolls.

Board Members in Attendance were

Peter	Nicolas	Thomas	Emanuele	John
Cassidy	D'Alessandro	Franco	Marinaro	Hickman

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; and Mark Pozniak, Comptroller.

Approve Minutes:

September 28, 2017
Special Town Board Meeting October 5, 2017

Motion to approve the September 28 and October 5, 2017 minutes: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

Receive and File:

Supervisor Hickman stated there was nothing received.

Public Comments on Agenda Items Only:

Supervisor Hickman asked if there was anyone to speak on the agenda items only.

Michael Wahlers asked about the Public Comments from the public section of the agenda.

Anthony from the Revere Special District asked about the special assessments and the quality of service.

Ed Sloshower asked about the location of the budget on the website.

Public Hearing:

1. Public Hearing for Special Districts Budget

Motion to open the Public Hearing for the Special Districts Budget: Board Member D'Alessandro. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

Supervisor Hickman stated this is done annually and includes water districts, sewer districts, drainage districts, and sidewalk districts. All people living in those areas get notices.

Comptroller Pozniak stated Revere is one of the few districts going up and it's going from \$259.74 to \$292.21. That is for 100 benefit units. The O&M will be done later in the year as it is part of another budget.

Supervisor Hickman said last year they did refinance some of their outstanding bonds, so that saved a lot of the districts. There are problems with the small, older systems. They have older infrastructure and they keep breaking. Revere has been more of a problem and Pinewood also because they have issues with the wells. They've spoken to Department of Health regarding the source of the problems and they put in a pipe for connection to another system five years ago. It is 5 feet from the pump house and the Department of Health will not let them connect. The Town has to prove that there is substantial water and enough storage. They're making it difficult for this approval. He stated that they should be getting a water main over there from the Cannon well. That should resolve all the water problems. There will be a cost to that water but at least it will be good water.

Comptroller Pozniak said he believes a large part of the increase is due to water breaks and the cost of repairing the breaks. He stated Revere is one of the few that is increasing. Most of the water and sewer are decreasing.

Engineer Bryant stated one time they had to bring tankers in and have the lines drained.

Supervisor Hickman also stated they don't make any money on this, but can't

subsidize it any more either. Unless they can connect it to another group that is sharing the bills, this is a problem with being in the old districts. He wishes they could have made that 5 foot connection years ago but the Board of Health has been very difficult.

Engineer Bryant stated they have tried for 10 years to find a way to hook up. First it looked at putting filtration into Revere Park. The problem with filtration is you have to be able to back wash and dispose of that material. The well field is right in the wetland so they cannot dispose of it there. That ended that idea. From there they looked at connecting to Brettview. They ran pipe 5 feet apart and thought they had enough water for Brettview. Then the Department of Health reviewed the numbers and said they did not have enough water. They have drilled a well. They already had filtration at Fishkill Plains and thought they were set. When they tested that water it came back that there was a likelihood of surface water influence. The two existing wells did not have the same test results, but the third well did. Because of that test they now had to install infiltration and expand the building. They would have to do other upgrades that they did not anticipate. They put it out to bid and the bids came back at a half million dollars. That would have caused everyone's rates to go through the roof. While this was going on the EPA project started moving forward to bring water to Ryan Drive. They have installed wells on the Cannon property and have installed the tank. That project will substantially fund improvements to both getting the wells online, provide new filtration at the Hamlet, and the booster system that will be required. At this point it makes sense to extend the line to Revere Park as well as Worley homes because that is now on the board. Then the two systems can share the expense. He stated they believe that will be a firm solution to how to get water out there. He stated they have been trying to put meters into Dogwood for the past five years to get a handle on consumption.

Supervisor Hickman stated if they could prove the consumption to the Department of Health they would allow the town to move ahead with the connection.

Engineer Bryant stated the problem is it is taking time to get into people's homes and install the meters. They have identified they have approximately 90% of the meters in and there is a lot of water loss at Fishkill Plains, but the hard part is finding it. They do understand the public's frustration but it does take time to get everything in place. It will probably be another year and a half for this project. They can spend \$1 million and solve any problem but then everyone's rates would go through the roof. They try not to do that. They try to manage it so it is a reasonable increase.

Board Member D'Alessandro asked Engineer Bryant to describe why surface water infiltration is such a problem.

Engineer Bryant stated there is the potential for bacteria in the water. Because it is drinking water the Department of Health's approach is that if there is a chance that you may have this problem you have to provide filtration.

Supervisor Hickman stated with a lot of these older systems that passed years ago, the Health Department's rules have gotten stricter and stricter and now they look at the older systems also.

Engineer Bryant stated that the wells at Revere Park are 25 feet deep. The iron manganese concentration is so high and the yield is so low it doesn't justify putting money into that system. They should put money into better wells with strong yields. This is a poor source to begin with. They hope to take it completely off-line and they will get the storage from the Hamlet, the filtration from the Hamlet, and the fire protection source. It does take time though.

Supervisor Hickman stated the storage tank is already built. The water main is up at OH.

Engineer Bryant stated they have submitted Phase 1 to the Health Department and he believes they received their approval already, which will get the water to Fishkill Road. Phase 2 was just submitted, which is to bring the raw water out and bring it to the Hamlet and they are working on the design for the filtration and booster pump at the Hamlet.

Supervisor Hickman stated this has been a difficult process.

Engineer Bryant stated they have made a commitment to EP to have water to them in 18 months. They will work on the Revere Main concurrently to that. With adding in Worley homes it means there are more people to share the expenses. The half a million dollars they would have spent on a filtration at Fishkill Plains goes a long way to get that main out to Revere.

Anthony from Revere spoke but was not at the microphone and could not be heard clearly.

Engineer Bryant stated they did not expect a different result from the third well from the original two wells when they drilled it. They were only 25 and 40 feet away and no one anticipated that result. One thing impacts the next thing and now it would've required filters and more pressure on the system. They would have to upgrade the pumps and then the generator would not handle it. It keeps going on and on until it gets to a point where the cost is at \$1 million. They thought it was a \$125,000.00 fix initially. You can't anticipate every result of every test that you were going to do.

Supervisor Hickman asked if the gentleman had a petition and he said yes and Supervisor Hickman asked that it be submitted to Clerk Hurray for the record. He stated they feel terrible about this and they understand that they are trying to work towards a resolution.

Engineer Bryant stated they were promised years ago when they put the other line in that if it was deemed an emergency the Department of Health would allow them

to hook up to it. It is only five or 10 feet of pipe that is missing. But the Department of Health has not allowed them to declare it an emergency.

Supervisor Hickman asked if there was anyone else in the audience that would like to speak on any of the water, sewer, drainage, or sidewalk districts.

William Griffiths has been a resident since 1968. He has recently moved to Wildflower Estates and the water is atrocious. He has been told the sewer for Wildflower is divided by the number of units. He was asked to attend the meeting to pass on requests from the residents that a more equitable distribution of the expense would be based on number of bedrooms rather than the number of residence. Some units only have one or two people and other units have many, many more.

Supervisor Hickman stated that was a good point and they will take it into account.

Engineer Bryant said they had a master meter and it was spread across every unit equally. At the time dealing with the HOA, that was the agreement. He has spoken to the HOA since then and the management company and they have said if the HOA agrees with all the residents to want to make the change to the bedroom count, it can be addressed. It has to come from the Home Owners' Association. For every unit that gets decreased, another unit will get increased and we don't want to get in the middle of that. We need the ownership to agree and the HOA to be the one voice.

Supervisor Hickman stated any amendments do need to be made through the HOA since that is who made the original agreement.

Ann Tacoma stated she has lived in Wildflower Hills for about 10 years. She stated her concern is that when they were told they were hooking up to town sewer they were told it would cost between \$400 and \$500 annually. It is currently \$900 and she would like to have a better understanding as to why. When they started the quarterly usage was approximately \$60 and has increased by approximately 50% to \$90. She is wondering why that has happened and will it continue to spiral up. She asked if the tax line cost was for eternity or if it was for a fixed number of years.

Supervisor Hickman stated he believed it was until the bond is paid off.

Comptroller Pozniak stated that one of the line items on the tax bill is for the cost of bringing the line to Wildflower and everyone bears equally in that cost. This year that will be \$437 and it should have been approximately that every year since it started. The first year may have been slightly different because they did not have a bond payment or something. It might not have been the full number the first year. It should have been roughly a flat charge since then. They also paid towards the bond for the construction of the Hamlet sewer. That is what the extension feeds into. The Hamlet sewer is a bigger district and that tax rate has also been fairly flat. They pay

6/10 of a share. The Hamlet sewer is dropping by approximately \$100 per benefit unit, from \$845-\$745. The Hamlet sewer district will see a reduction in their property taxes. He does not have any reason to believe it will go up over the next 30 years or so, but he cannot promise that.

Supervisor Hickman stated these are fixed costs for the capital improvements. They are bonds with fixed rates of interest. They should not rise. With the refinance it did lower one.

Comptroller Pozniak stated if a major improvement was required that is something they don't know about. He stated with the operating costs there was an increase for a two year period and that has flattened off also. It is not likely to increase. When the system was originally designed they expected a set number of users and is based on having those users. Some of the development projects did not come through so they were not raising enough revenue to cover the costs. Now there are enough users so unless there is some unforeseen cost, he believes that the O&M rates should stay constant as well.

Ms. Tacoma stated the cost started at \$60, then went to \$70, then \$80, and are now approximately \$90. She said they were led to believe it would be between \$400 and \$500 a year between the two line items and, in fact, is currently approximately \$900.

Engineer Bryant stated they could go back and check the original map plan to see what the original numbers were.

Comptroller Pozniak stated he does not believe they provided \$60 as a cost to the Homeowners Association in the beginning.

Engineer Bryant stated they did have a meeting at the community center where they shared the map plan report. He stated they could check it to see where they are today versus where they were at that point.

Supervisor Hickman stated he thought there was something that they were not going to have to pay in the fees.

Engineer Bryant stated sometimes they do a BAN the first year and the rates are lower. He stated they will pull all the information and make it available to the residents.

Supervisor Hickman invited her to call the office during the week and come in and they will go over the rates that were discussed in the beginning and review it all with the Town Engineer. It does appear that the O&M will stay flat now at approximately \$90 and they did lower the capital by approximately \$100.

Comptroller Pozniak stated it would show in their property tax bill early next year.

Board Member Marinaro asked what is the lifespan of the sewer plant bond.

Comptroller Pozniak stated there are a couple of different bonds. He believes they are all 30 years. The first one was from 2006 or 2007 and the most recent one for Wildflower Hills is around 2012 or 2013. It would be 30 years from those dates.

Board Member Marinaro asked if that cost was for two combined bonds, the original bond for the creation of the sewer district and the addition.

Comptroller Pozniak stated it is a fraction of the original bond and then the addition to connect, which was a much smaller cost.

Engineer Bryant stated if anyone new comes on downstream of that, they will pay a portion of the Hamlet Sewer and also pay a portion of that line. That will reduce the current rates to Wildflower, if that were to happen.

Supervisor Hickman asked if there was anyone else in the audience to speak on the special districts.

Charlie Shanes stated he is part of the Brettview Water System. He was unsure if they were discussing just the taxes or the usage rate for the quarterly bills.

Supervisor Hickman stated the usage rates would be discussed probably in January.

Mr. Shanes stated last time they lowered the minimum usage from 9000 to 8000. He stated he does not reach the 8000 but his bill still went up. He asked if there were any numbers available for what the average usage was.

Supervisor Hickman stated with Brettview it is metered so they would know average usage.

Comptroller Pozniak stated he could give a average town wide usage is between 12,000 and 14,000 gallons per quarter. Comptroller Pozniak stated Brettview was going to go down by approximately 6/100 of a percent.

Mr. Shane says his only gripe is when he comes in to Brown Road from All Angels, he sees a sign that says please conserve water and he does, but they charge him for more anyway.

Supervisor Hickman stated that is a good point. It has always been a tough issue.

Roy Lewis stated he lives in Brettview.

Supervisor Hickman apologized for not calling Mr. Lewis back. He stated he had

the numbers on his desk for the longest time. He believes the change in the numbers from three years ago is when they did the change of the filters in Fishkill Plains.

Mr. Lewis stated he stopped by in the Spring. He questioned when the cost per thousand gallon made a large jump and Supervisor Hickman had said at that point there were significant increases in what they were doing, like filtration. The water guy was supposed to call him back and explain it but he never got a phone call back.

Supervisor Hickman stated it is when they did the added filtration system in Fishkill Plains.

Mr. Lewis asked if they added a water softener of some sort as he seems to be getting less calcium.

Engineer Bryant stated there are filters but they would not affect the hardness. It is more than just a sediment filter.

Supervisor Hickman asked if there was anyone else that wanted to speak about the special benefit units. There was no one. He asked if there were any questions or comments from the board. There were none.

a) Close Public Hearing

Motion to close the Public Hearing: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

b) Adopt the Special Districts 2018 Budget

Motion to adopt the Special Districts 2018 Budget: Board Member D'Alessandro. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

Resolutions:

1. **Set the date for the Public Hearing on the 2018 Budget for November 9, 2017**

RESOLUTION

(SCHEDULING A PUBLIC HEARING TOWN BOARD MEETING)

WHEREAS, the Town Supervisor's budget has been filed with the Town Clerk within the time period prescribed by law; and

WHEREAS, the Town Clerk received the budget from the Town Supervisor September 29, 2017; and

WHEREAS, the Town Clerk has presented said budget to the Town Board on October 5, 2017; and

WHEREAS, the Town Board would like to schedule a public hearing at the regular scheduled meeting on November 9, 2017 at 7:00pm.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on Thursday, November 9, 2017 at 7:00 pm at the Town Hall for the proposed 2018 Town Budget.

Motion to set the date for the Public Hearing on the 2018 Budget for November 9, 2017: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

2. Authorize the hiring of a part-time Building/Fire Inspector

RESOLUTION **(APPOINTING A PART-TIME BUILDING INSPECTOR)**

WHEREAS, the Building Department has an opening for a part-time Building Inspector; and

WHEREAS, it is the desire of the Town Board to appoint William Gorbett to this position; and

NOW, THEREFORE, BE IT RESOLVED, that William Gorbett, be and hereby is appointed as a part-time Building Inspector in the Town of East Fishkill to be paid at a rate of \$22.43 per hour.

Motion to authorize the hiring of a part-time Building/Fire Inspector: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

3. Declare a Town Hall vehicle as surplus

RESOLUTION **(DECLARING CERTAIN PROPERTY TO BE SURPLUS)**

WHEREAS, the Town has a vehicle which is deemed to be of no further use to the Town and thus, should be considered surplus; and

WHEREAS, there is a 2003 Dodge Intrepid that the Town Supervisor has requested be declared surplus material and sold; and

NOW, THEREFORE, BE IT RESOLVED, that the 2003 Dodge Intrepid be and hereby is declared to be surplus and is to be disposed of by participating in an auction process held by Absolute Auctions & Realty without cost to the Town.

Motion to declare a Town Hall vehicle as surplus: Board Member Franco.
Seconded: Board Member D'Alessandro. All voted in favor. Motion carried.

Budget Transfers:

Supervisor Hickman stated there are no transfers at this time.

Take Public Comments on General Town Issues:

Supervisor Hickman asked if there was anybody in the audience who would like to speak on general Town issues.

Supervisor Hickman said he sent a letter to DEC asking for a two year extension for the grant. There will be a Proposition #4 regarding funding for repairs to the lake.

Robert Grasso spoke about the comment section of the meeting.

Anthony spoke about a tree company who destroyed the roads five or six years ago. He said the Highway Department did a quick fix but it's not adequate.

Resident from Brown Road said there was a repair by Sprout Creek, but the school buses are pulling off there and breaking it all up again.

Ed Slosower spoke about the need for small business growth in the town. He also asked about the vacant buildings behind the dome project. He also asked about the plan for filling Councilman D'Alessandro's seat as there are two years left on his term.

Board Member Marinaro asked when the community will get answers to any questions they ask tonight. Supervisor Hickman stated possibly at the next town meeting or they could call.

Mr. Wahlers asked the Board to consider a "late day" for people who work later in the day to still be able to discuss town issues. He asked for a summary of the proposal to rejuvenate Hillside Lake.

John Curzio gave an update on the Carmel Central School District. He thanked Council Member D'Alessandro for supplying information on veteran statistics.

Greg Vote thanked the council members for their attendance at their community meeting.

Comments from Town Board Members:

Supervisor Hickman asked if there were any comments from the Town Board.

Board Member D'Alessandro thanked the residence for participating in the informational video made to inform the public on Proposition #4 for Hillside Lake. If this does pass, a committee will be formed to come up with the best plan possible. The video will play on Channel 22 from now thru Election Day.

Board Member Franco thanked everyone for their help with the Hometown Hero's banners and thanked Superintendent McClellan for his help hanging them up. New ones that came in will be up after Memorial Day and the current ones will be coming down shortly after Veteran's Day. There has been more participation than expected. Supervisor Hickman said they may be doing a "name on a brick" for veterans at the fire pit used for flag retirements.

Board Member Marinaro thanked those that helped with the Hillside Lake video. The Board has done a lot of the last four years to help the Town. He they are working towards filling up the empty businesses in the community and to better the business community.

Board Member Cassidy stated Officer Tarpe retired last month. Watch out for the kids on Halloween night. He said everyone should get out and vote.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 8:19 PM: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

Town Board Budget Hearing/Regular Meeting:**November 9, 2017**

Respectfully Submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray
–November 5, 2017